29 March 2019

11685 Pine Trees Location
Plettenberg Bay
6600

Dear Sir,

PROPOSED TEMPORARY LAND USE DEPARTURE: ERF 11685, PLETtenberg Bay, BITOU MUNICIPALITY

1. The Manager: Economic Development and Planning made the following decision on 28/03/2019:

2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
   a) A temporary land use departure in terms of Section 15(2)(c) of the Bitou Municipality By Law on Municipal Land Use Planning (2015) to use a portion of the existing dwelling house as a Shop (Spaza Shop).

3. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou Municipality Land Use Planning Bylaw (2015):
   i. That the approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from council;
   ii. Only the ground floor of the dwelling house may be used for the operation of the shop;
   iii. A certificate of acceptability should be obtained from the Garden Route District Municipality, if perishable food items are to be sold in the shop;
   iv. The operation hours of the shop will be limited from 06:00 to 20:00 daily;
   v. The land owner must reside in the residential dwelling;
   vi. The temporary land use departure is only valid for a period of 5 years from the date of this decision;
   vii. No extension of validity period as per condition (vi) above will be permitted;
   viii. A temporary land use departure may only be applied for once for the purpose of a Shop (Spaza Shop).

4. Reasons for the above decision are as follows:
   a) The shop (Spaza shop) is only temporary in nature;
   b) The land use can without further construction or demolition revert to its pervious lawful use right upon the expiry date, this being an dwelling house;
   c) It will provide a community service;
   d) The community is in support of the proposal.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation. Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600; a copy of the appeal can also be forwarded to the case officer Marius Buskes mbuskes@plett.gov.za, within 21 days of registration of this letter.

6. If you exercise your right to appeal, you are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.

7. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.


9. A notification in terms of Section 61 of the Bitou Municipality Land Use Bylaw (2015) will confirm the coming into operation of the approval, if no appeals were received within 21 days of registration of this letter.

Yours faithfully

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Chris Schliemann
Manager: Economic Development and Planning